

Budget Brief – Career Service Review Board

NUMBER CFGO-08-03

SUMMARY

The Career Service Review Board (CSRB) administers the state's grievance and appeals process and is a quasi-judicial body that hears final administrative appeals. It hears cases related to decisions about promotions, dismissals, demotions, suspensions, written reprimands, wages, violation of personnel rules, benefits, reductions in force, and abandonment of position. The goal of the program is to resolve grievances at the lowest possible managerial level. The CSRB has no jurisdiction over classification grievances which are the responsibility of the Department of Human Resource Management.

The CSRB conducts pre-hearing conferences in an attempt to mediate cases which come before them. When necessary they conduct jurisdictional, evidentiary, and appellate levels of adjudications. The CSRB uses hearing officers under contract. As such the only ongoing salary costs are for the Administrator and a secretary to research, write and issue legal decisions.

ISSUES AND RECOMMENDATIONS

Training for Administrator and Hearing Officers

The statutory Grievance and Appeal Procedures require evidentiary hearings before CSRB hearing officers hired on a contract basis by the Administrator. There is little interaction or discussion amongst the various hearing officers regarding the substantive issues they face and the unique hearings they oversee. As a result, there have been occasional inconsistent decisions and billable time spent researching issues previously addressed by another hearing officer. Furthermore, the limited CSRB budget has not permitted adequate training opportunities for the Administrator to stay current on best practices in this area of expertise. To help alleviate these issues, the CSRB is requesting an ongoing adjustment of \$5,000 for FY 2009 to be used to better train hearing officers and to provide the Administrator the opportunity to receive annual training.

Figure 1: Career Service Review Board - Budget History

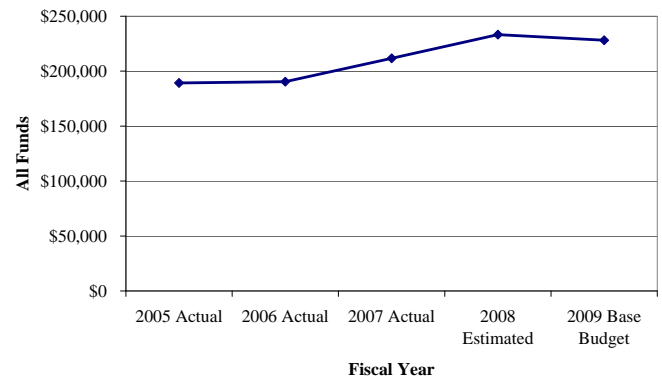


Figure 2: Career Service Review Board - FTE History

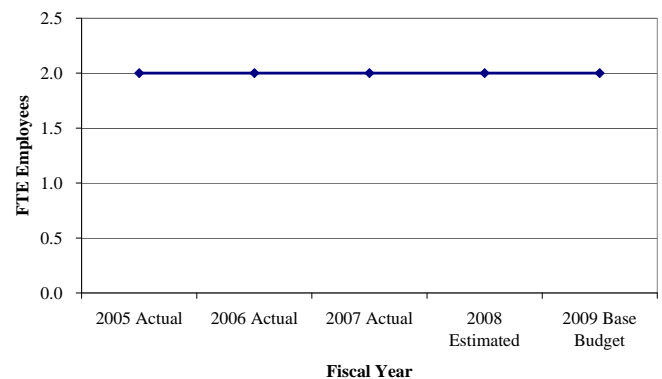
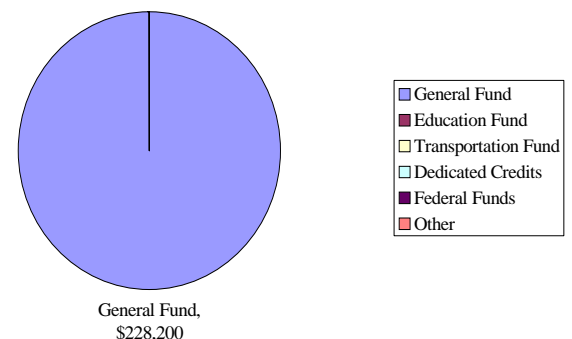


Figure 3: Career Service Review Board - FY 2008 Funding Mix



ACCOUNTABILITY DETAIL***Grievances and Hearings***

One way of measuring the program's workload is by tracking the number of grievance cases resolved by year, as shown below. However, other factors such as complexity of cases should be considered. In recent years cases have become more complex as grievants are almost always hiring attorneys. This increases the time and effort required to resolve cases.

Steps:

2=immediate supervisor level;

3=division/agency director level;

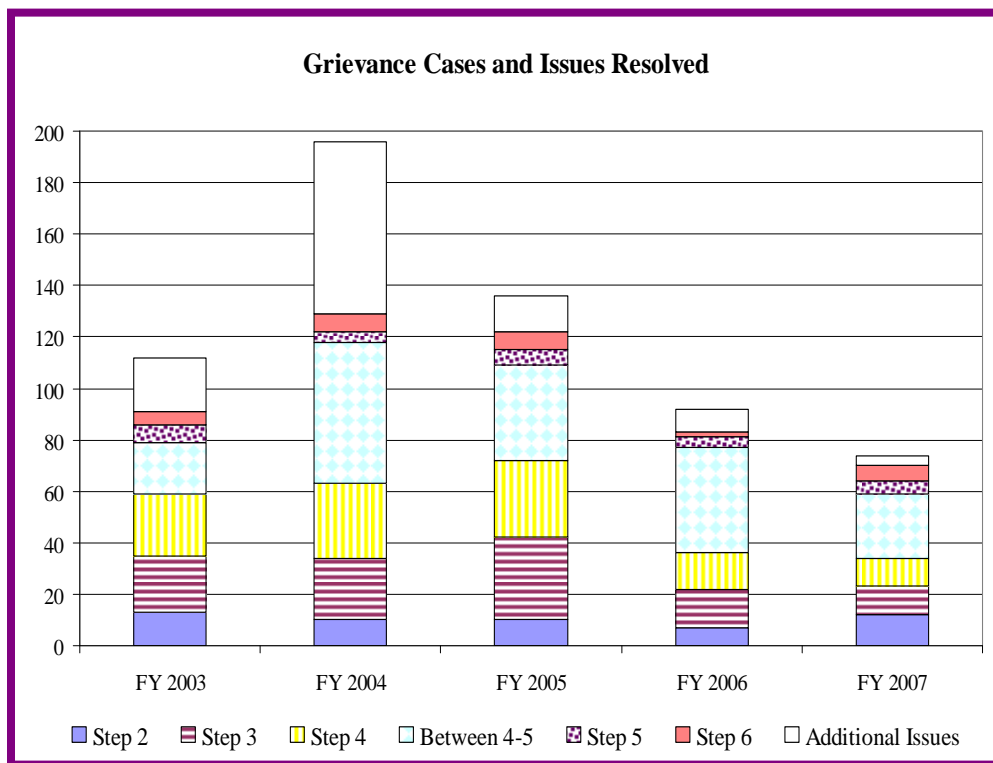
4=department head level;

Between 4-5=mediation forum;

5=evidentiary hearing;

6=appellate review/board;

"Additional Issues"—some cases have multiple issues involved.



The number of grievances increased by 42 percent in FY 2004 but has declined since. Reasons for the FY 2004 increase are uncertain, but the office states that grievances tend to trend upward after multiple years of no or low pay increases. The office is making an effort to reduce the number of grievances heard in an evidentiary hearing (step 5) through mediation and closer scrutiny of grievances. A growing percentage of cases are resolved under mediation, as shown in the chart as "Between 4-5."

BUDGET DETAIL

The Board utilizes funding from the General Fund. For FY 2007 the Legislature increased the ongoing budget by \$15,000 to cover increased hearing costs. For FY 2007 the line item carried forward \$5,000 into FY 2008 and lapsed \$1,500 to the General Fund.

Intent Language

The Analyst recommends the Legislature adopt the following supplemental intent language for Fiscal Year 2008:

Under terms of UCA 63-38-8.1(3), the Legislature intends not to lapse Item 50, Chapter 1, or Item 46, Chapter 371, Laws of Utah 2007. Expenditure of these funds is limited to: Grievance Resolution - \$5,000.

LEGISLATIVE ACTION

The Analyst recommends the consider Legislature adopting:

1. A total FY 2009 base appropriation of \$228,200 for the Career Service Review Board, all from the General Fund.
2. Intent language making the FY 2008 appropriation nonlapsing but limited to uses specified in the language.

BUDGET DETAIL TABLE

Career Service Review Board						
Sources of Finance	FY 2007 Actual	FY 2008 Appropriated	Changes	FY 2008 Revised	Changes	FY 2009* Base Budget
General Fund	218,300	228,200	0	228,200	0	228,200
General Fund, One-time	(200)	0	0	0	0	0
Beginning Nonlapsing	200	0	5,000	5,000	(5,000)	0
Closing Nonlapsing	(5,000)	0	0	0	0	0
Lapsing Balance	(1,500)	0	0	0	0	0
Total	\$211,800	\$228,200	\$5,000	\$233,200	(\$5,000)	\$228,200
Programs						
Career Service Review Board	211,800	228,200	5,000	233,200	(5,000)	228,200
Total	\$211,800	\$228,200	\$5,000	\$233,200	(\$5,000)	\$228,200
Categories of Expenditure						
Personal Services	174,100	182,600	900	183,500	0	183,500
In-State Travel	0	300	0	300	0	300
Out of State Travel	0	1,100	300	1,400	0	1,400
Current Expense	34,700	39,900	3,800	43,700	(4,700)	39,000
DP Current Expense	3,000	4,300	0	4,300	(300)	4,000
Total	\$211,800	\$228,200	\$5,000	\$233,200	(\$5,000)	\$228,200
Other Data						
Budgeted FTE	2.0	2.0	0.0	2.0	0.0	2.0
Actual FTE	2.0	0.0	0.0	0.0	0.0	0.0

*Does not include amounts in excess of subcommittee's state fund allocation that may be recommended by the Fiscal Analyst.